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FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

APR 11 2000

OFFICE OF
MANAGING DIRECTOR

Mr. Mac Chapple
Secretary
St. Regis TV District
P.O. Box 312
St. Regis, Montana 59866-0312

RE: VHF Translator Station, Call sign K10HM;
VHF Translator Station, Call sign K05DS
Fee Control No. 9803318835121007

Dear Mr. Chapple:

This responds to your letter of November 2, 1998 requesting a refund of the \$220 regulatory fee and \$55 penalty fee paid in connection with call sign station K10HM. You also requested a status report for a companion station (call sign K05DS), another translator with a signal from KECI, channel 13, Missoula, MT, and located at St. Regis. For the reasons stated below, your station is entitled to a refund of the regulatory fee and penalty. However, you must provide additional documentation to establish your exemption from regulatory fees, and you must substantiate your basis for not paying the license fee. Until you provide the documentary evidence, your status cannot be determined.

As you know, licensees are subject to separate payments for renewal of the license and annual regulatory fees. Under the Rules in effect for FY 1997, a station that was a government entity or nonprofit entity was not required to pay the regulatory fee and no additional documentation was immediately required. You claimed an exemption from regulatory fees on both grounds. Since then, however, amendments to the rules, 47 CFR §1.1162(b) and (c), require "written documentation establishing the basis for [the station's] exemption within 60 days of its coming under the regulatory jurisdiction of the Commission or at the time its fee payment would otherwise be due, whichever is sooner, or at such other time as required by the Managing Director." 47 CFR §1.1162(c)(1). If you intend to seek exemption from payment of the regulatory fees (47 USC §159) for FY 1998 and subsequent years, immediately provide this required documentation.

For purposes of the government entity exemption, a government entity is defined as any state, possession, city, county, town, village, municipal corporation, or similar political organization or subpart thereof controlled by publicly elected officials exercising sovereign direction and control over their respective communities or programs (emphasis added). 47 CFR §1.1162(b). For purposes of the nonprofit entity exemption, one is defined as "an organization duly qualified as a nonprofit, tax exempt entity under section 501 of the Internal Revenue Code,

Mr. Mac Chapple

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26 U.S.C. 501; or as an entity with current certification as a nonprofit corporation or other nonprofit entity by state or other governmental authority." 47 CFR §1.1162(c). Acceptable documentation may include Internal Revenue Service determination letters, state or government certifications or other documentation that nonprofit status has been approved by a state or other governmental authority. 47 CFR §1.1162(c)(1).

In the course of reviewing your request, we determined that you did not pay the fees to renew the licenses of both translator stations. You filed late and requested exemption from fees on the grounds that both stations are governmental entities. Neither application conformed to the requirement that the licensee "certify as to their eligibility for the exemption through a cover letter accompanying the application. 47 CFR § 1.1114. Note.

The exemption from license fees differs from those applicable to regulatory fees. For a full explanation of the exemptions and documentary evidence required, I recommend that you review 47 CFR §1.1114.

At the time you filed to renew the licenses and sought an exemption based on the status as a governmental entity, you were required to comply with 47 CFR § 1.1114(f). Neither file, however, contains information plainly demonstrating that the St. Regis TV Tax District is controlled by "publicly elected or duly appointed public officials exercising sovereign direction and control." Please provide this documentation promptly so that we may determine the propriety and accuracy of your applications. If we determine that the documentation does not establish the exemption claimed, you may be required to pay the fee and a late penalty for each station. Thus, until the documentary evidence is provided and a determination is made, I cannot offer you an opinion as to the status of either or both translator stations.

In summary, your regulatory fee and penalty are being refunded. A check in the amount of \$275 payable to the maker of the original instrument will be mailed at the earliest practicable time. However, you must provide separate documentary evidence for each station and each category of exemption claimed for the regulatory fees and the license fees. **If you are not able to provide the documentary evidence within 30 days, you may be subject to the full amount of the required fees and penalties.**

Sincerely,



Mark Reger
Chief Financial Officer

9803318835121007

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ST. REGIS TV DISTRICT

P. O. Box 312

ST. REGIS, MONTANA

59866-0312

November 2, 1998

FEDERAL COMMUNICATIONS COMMISSION
Office of the Secretary - Room 222
1919 M Street N.W.
Washington, D.C. 20534

Re: Call signs K10HM & K05DS

Dear Communications Assistant:

Enclosed is a copy of a letter sent August 11, 1998.

This document requests a refund of the \$275 fees paid due to our exempt status.

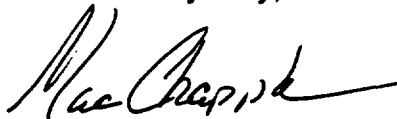
It also requests the status of callsign K05DS.

It further requests your certifications or licenses on K10HM and K05DS to indicate current standing.

We would appreciate your response to these matters as we have no idea what our status is, and want to bring these stations to a point where we understand what steps are necessary on a regular basis in order for us to be in good standing. If we need to provide any further information, please provide us that information or the proper forms.

Thank you for your assistance.

Yours very truly,


Mac Chapple, Secretary
St. Regis TV District

RECEIVED

NOV 9 1998

FCC MAIL ROOM

RECEIVED
NOV 13 6 42 PM '98

St. Regis TV District
P.O. Box 312 **St. Regis, MT 59866**

August 11, 1998

FEDERAL COMMUNICATIONS COMMISSION
Office of the Secretary - Room 222
1919 M Street N.W.
Washington, D.C. 20534

COPY

Re: Callsign K10HM

Dear Communications Assistant:

On March 31, 1998, I sent you a letter, an application, and a copy of form #159. At that time I also sent the form #159 and the \$275 fee to the regulatory fees office in Pittsburgh. (Copies enclosed)

I am presently informed that we are a governmental entity, non commercial and non profit, TV tax district; therefore, we are exempt from fees. Since we are unable to find any notices that show you have changed your fee regulations, consequently we request a refund of our \$275.

Since the March correspondence with you we have received no notification from you that we are properly licensed. We assume you do provide a certificate of current licensing.

We would also like to know the status of callsign K05DS, another station in our jurisdiction with the same tax standing as quoted in the K10HM above. Is it current? If not, what form and procedure is necessary to put it in current standing?

Perhaps you provide a form to reinstate expired licenses?

Your assistance on the above questions would be very much appreciated. We would like to put these two stations in good standing and need your help as we lack the proper knowledge to do so.

Yours very truly,

RECEIVED

NOV 9 1998

MAC CHAPPLE, Secretary
St. Regis TV District

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EGG MAIL ROOM

Payment Transactions Detail Report

Date: 2/25/99

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date								
9803318835121007	ST REGIS TV DISTRICT PO 312	FCC2053795		03/30/98								
					SAINT REGIS	MT	59866					
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type	
\$275.00	\$275.00	2	FINE	1	K10HM	ST REGIS TV DISTRICT	598660312		\$55.00	1	PMT	
\$275.00	\$275.00	1	MLP7	1	K10HM	ST REGIS TV DISTRICT	598660312		\$220.00	1	PMT	
Total		2								\$275.00		

Payment Transactions Detail Report

Date: 04/18/2000

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date								
9803318835121007	ST REGIS TV DISTRICT PO 312	FCC2053795		3/30/1998 00:00:0								
					SAINT REGIS	MT	59866					
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type	
\$275.00	\$275.00	2	FINE	1	K10HM	ST REGIS TV DISTRICT	598660312		\$55.00	1	PMT	
\$275.00	\$275.00	1	MLP7	1	K10HM	ST REGIS TV DISTRICT	598660312		\$220.00	1	PMT	
Total		2								\$275.00		